## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE WINCHESTER DIVISION

I.P., a minor, by and through B.P.,	)
Plaintiff,	)
<b>v.</b>	) Case No. 4:23-cv-00026 ) Judge Katherine A. Crytzer
TULLAHOMA CITY SCHOOLS, a	) Magistrate Judge Susan K. Lee
political subdivision of the State of Tennessee;	) Jury Demanded
JASON QUICK, in his individual capacity;	)
and DERRICK CRUTCHFIELD, in his	)
individual capacity,	)
	)
Defendants.	)

## **JOINT MOTION TO CONTINUE TRIAL**

Come now Plaintiff and Defendants, by and through counsel, and respectfully move the Court to continue and set a new trial date. The parties base this request upon the following:

- 1. This case is currently set for a jury trial at 10:00 a.m. on 7/23/2024.
- 2. The final pretrial conference is set for 7/9/2024.
- 3. The discovery deadline was 2/9/2024. The Court had not ruled on Defendants' prior Motion to Continue Trial [Doc. 71] before that.
- 4. Counsel for one of the defendants experienced an adverse health event which requires a period of recovery and rehabilitation. The parties were not able to adequately conduct and conclude discovery by 2/9/2024. The parties need additional time to conduct discovery. Furthermore, both sides desire to have witnesses deposed when school is not in session, primarily in June 2024.
- 5. In light of the foregoing, the parties respectfully request the Court to set a new trial date, if possible, in early January 2025, with all current deadlines modified accordingly. By

the parties' estimates, this would result in discovery being completed by around mid-July 2024 and dispositive motions being due around early September 2024.

6. In light of this new Joint Motion, Defendants move to withdraw their prior Motion to Continue Trial [Doc. 71], which is superseded by this Motion.

Respectfully submitted this 5th day of March, 2024.

/s/ Conor T. Fitzpatrick by JDP w/perm.
Conor T. Fitzpatrick (Mich. Bar #P78981)
Foundation for Individual Rights and
Expression
510 Walnut St., Ste. 1250
Philadelphia, PA 19106
Telephone: 215-717-3473
Conor.fitzpatrick@thefire.org

Darrick L. O'Dell (#026883) Spicer Rudstrom, PLLC 414 Union St., Ste. 1700 Nashville, TN 37219 Telephone: 615-259-9080 dlo@spicerfirm.com Attorneys for Plaintiffs

/s/ Jerome D. Pinn
Kenneth S. Williams (#010678)
Jerome D. Pinn (#017848)
Wimberly Lawson
Wright Daves & Jones, PLLC
P.O. Box 655
1420 Neal Street, Suite 201
Cookeville, TN 38503-0655
Telephone: 931-372-9123
kwilliams@wimberlylawson.com
jpinn@wimberlylawson.com
Attorneys for Defendant
Tullahoma City Schools

/s/ W. Carl Spining by JDP w/perm. Michael T. Schmitt (#026573) W. Carl Spining (#016302) The Ortale Kelley Firm

330 Commerce Street, Suite 110
Nashville, TN 37201
Telephone: 615-256-9999
mschmitt@ortalekelley.com
cspining@ortalekelley.com
Attorneys for Defendant Jason Quick

/s/ Alix C. Michel by JDP w/perm.
Alix C. Michel (#024243)
David J. Ward (#013449)
Michel & Ward
735 Broad St., Ste. 406
Chattanooga, TN 37402
Telephone: 423-602-9522
alix@michelandward.com
david@michelandward.com
Attorneys for Defendant Derrick Crutchfield

## **CERTIFICATE OF SERVICE**

I hereby certify that on March 5, 2024, a copy of the foregoing document has been filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ Jerome D. Pinn
Jerome D. Pinn